

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION
: :
v. : NO. 08-0506
: (12-cv-2467)
PATRICIA HERNANDEZ : :

ORDER

AND NOW, this 28th day of August, 2012, upon careful consideration of the defendant's motion to vacate, set aside, or correct her conviction and sentence filed pursuant to 28 U.S.C. § 2255 (Document #51), and the government's motion to dismiss filed in response to the defendant's motion (Document #54), IT IS HEREBY ORDERED that:

1. The defendant's motion is DENIED in its entirety without a hearing.
2. The government's motion to dismiss is GRANTED.
3. As the defendant has failed to make a substantial showing of a denial of any constitutional right, there is no basis for the issuance of a certificate of appealability.
4. The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.